

House Bill No. 4970 and 4971

I am here to talk about why House Bills 4970 and 4971. My name is William Kogelschatz, I am the Business Manager for the International Union of Elevator Constructors Local 85. I have been in the Elevator industry going on thirty years and have served on the State Elevator Safety Board for about seven years.

Many people can and will be able to afford these units in their homes. As state residents age and veterans return home, more units will be installed and there will be more problems in devices being repaired by home owners, unqualified and unlicensed people. The last thing we should do is open a door to a problem that confuses requirements needed to do the work. We would prefer to see Michigan an accident free state.

Reducing regulations on these and any elevating devices should not be an option for the sake of profit! The units being discussed are Stair Climbers (units that run up the side of a stairway) and vertical and incline platform lifts (wheel chair lifts). These units installed cost anywhere from \$2,500 to \$4,500 in a home setting (more if they require special equipment and/features). Michigan installs straight stair chairs for between \$3,200 & \$3,500 depending on travel. Curved units average \$10,500. Vertical lifts are \$6,500. Indiana Chairlifts cost \$2,500.00 to \$4,500.00, Indiana has no regulations on these units and the cost is comparable to Michigan, but the increased safety in Michigan is exceptional.

Allowing a Builder to install these units in a private residence without having a State Elevator Contractors License and a final state inspection leads to problems the home owner will have to deal with. The licensed elevator contractors examination is in-depth, as well it should be. To allow the manufacturer to say some one is qualified to install and maintain these units is no different than allowing Ford to give licenses to anyone that wants a driver's license!

The argument is to allow seniors and disabled vets to stay in their homes for a lower cost. Sound like a good thing....except we need to be sure for the additional \$100.00 to \$300.00 its safe and inspected by the state. People are not thinking about the peace of mind and the cost of insurance for the home owner without a State inspection. One of the State Representative said; if there is an accident let them sue. No one would say this if it was their family member injured or killed by a faulty piece of equipment. All elevator manufacturer companies spend an excessive amount of money on liability insurance and have State Licensed Elevator Contractors to ensure proper installations; would the home builder have the same insurance coverage?

Michigan puts its people ahead of profit by doing everything that can be done to provide the safest unit in every home. Strict licensing, inspection and Safety Board involvement are one of many ways this is done. The old saying stands true "if it aint broken don't fix it"! Be it a builder or an elevator contractor, safety first there is a reason the codes and requirements are in place.

I have attempted to get past injuries and/or deaths on this unit, but records are not well kept, mostly because home owners do not report injuries and deaths as it will make the news. Maybe the reason I am having trouble attaining information on deaths and injuries is because of the policies in place in our State. Below are a couple of accidents on stair climbers for you to read.

Woman injured in elevator accident

Nebraska Telegraph staff reports

Posted: Saturday, October 9, 2010

On Friday afternoon, as people were entering the old fire station located at 200 West Front Street for a candidate meet-and-greet, a 59-year-old woman was injured when the private wheelchair lift came down on her and trapped her underneath.

"The woman, who was seated in an electric wheelchair, was compacted down by the elevator so she couldn't breathe for a while," Lt. Rich Hoagland of the North Platte Police Department said. "Safety precautions that were in place apparently didn't work in this particular instance. **"It is a private wheelchair lift at a private residence."**

The woman, whose condition was unknown at press time, was transported by ground ambulance to a Denver hospital. She was transported by ground due to the weather situation that prevented a transport by aircraft. Her name is being withheld until relatives are notified of the accident.

Comments on the article:

Actually, Doris Reed did not survive this horrific deal & plans are being made for her funeral arrangements. Doris was brain-dead & the Dr. decided that the life support plug be pulled.

Doris was stuck under the unit for several hours, no one was able to get the unit to run up to get her out switches were wired improperly.

This was a preventable tragedy. There are no codes to how these elevators are installed or inspected?

Read more: http://www.nptelegraph.com/news/woman-injured-in-elevator-accident/article_9be9ff5d-2cd3-5eca-ac6a-1642d551603b.html

Great grandmother, 90, dies after being catapulted from faulty chairlift

By **DAILY MAIL REPORTER**

UPDATED: 03:58 EST, 15 June 2010



Gwendoline Rhymer died after she fell down a flight of stairs while using a faulty chairlift

A great-grandmother died after being catapulted 20ft down stairs in her home by a faulty chairlift, an inquest heard.

Gwendoline Rhymer, 90, passed away in hospital three days later from injuries sustained in the horrific fall.

Mrs. Rhymer was spun round in her chair and tipped out headfirst after restraining bolts on the seat sheared off.

Her daughter Vanessa Faulkner told the hearing her mother was 'frightened to death' of the chairlift.

Mrs. Faulkner said the widow was so petrified she used to cling onto a handrail as the chair was in motion and say: 'I will not fall will I?'

A hearing in Sheffield was told the family had reported a 'whining' noise and 'juddering' with the mechanism a week earlier but the company maintaining the chairlift had not sent out an engineer.

Mrs. Rhymer's grand-daughter and caregiver Joanne Rhymer said she had helped her wash and dress in the bathroom and was attempting to strap her into the chairlift with a seatbelt when it went wrong.

She said: 'I went to pull the belt to put it around her but before I could do it the chair swung round and tipped her over. My Nan went straight over the bar falling from top to bottom.'

Miss Rhymer said she had complained to manufacturers MediTek a week before.

'They said they would send somebody out but nobody came,' she said. Just a year previously, the chairlift had developed an electrical fault which was repaired.

The caregiver who lived with the 90-year-old at their home in Birdwell, Barnsley said she always put the seatbelt around her mother's waist. She said: 'She was so frightened she used to hold a bar at the side. She was scared to come down.'

Mrs. Faulkner said her mother who had osteoarthritis in both knees and a variety of ailments, was incapable of putting the seat belt on herself. She rang the police after the accident and an officer said the stairs gradient was too steep for the type of chairlift and there was more than five years wear and tear on the machine which was installed as new in July, 2006. The inquest heard Barnsley Council awarded a contract to MediTek to supply and fit chairlifts and the company sub-contracted the installation and maintenance to a company called Obam.

Engineer Anthony Hall confirmed two of the retaining screws on the seat had sheared off when the machine was examined. He also believed the seat belt had not been regularly used.

Obam director Christopher Butroid said after the tragedy all users of chairlifts on their books were contacted and the seat belts were removed and new ones put on which were tightened up.

Two independent experts told the hearing the seat belt failed but they disagreed as to whether it was the design or the fitting.

Mrs. Rhymer's chairlift had been due to be serviced the month she died. Pathologist Dr. Steven Beck said she suffered extensive bruising to her forehead and broken ribs in the fall.

He concluded she died from a heart attack on July 15 last year due to a blunt trauma injury to the chest sustained in the fall three days earlier. The hearing continues.

ABC Action News

Woman crushed to death by homemade elevator

at Weeki Wachee home

Posted: 07/25/2013

By: Cary Williams

WEEKI WACHEE, Fla. - A woman died when she was crushed by a homemade elevator at a Weeki Wachee residence on Tuesday.

According to a sheriff's statement, the elevator was constructed from a forklift and other parts by the husband of Jean Blair, who travels around in a motorized wheelchair at the three-story house on Island Drive.

On Tuesday, Blair took the "lift" to the second floor and then sent it down to the first floor while she waited for her friend, Margaret Harrison, 66, who was coming to visit

When Harrison had not arrived by 9 a.m., Blair became alarmed and called Harrison's boyfriend, who drove over and saw Harrison's car in the driveway.

When he approached the lift, he saw that there was someone underneath it.

He used a switch to raise the lift and discovered the person was Harrison. She was pronounced dead at the scene by Fire Rescue personnel.

Blair and her husband told deputies the lift was maintained monthly and had never failed.

The Hernando County Building Department was called in and determined that no construction permits for the lift were ever issued and had dangerous electrical connections, according to the sheriff's statement.

The lift was deemed unsafe and was shut down by the Building Department.

Investigators say the death was an accident.

Read more: http://www.abccactionnews.com/dpp/news/region_citrus_hernando/woman-crushed-to-death-by-homemade-elevator-at-weeki-wachee-home#ixzz2hcXeY6Ti

Below are letters I received from a couple of elevator professionals.

From the Province of Quebec

Hi Bill

In Province of Quebec in 2003-2004 we have 5 death people kill by platform lift a coroner wrote a report the time I pound is report 2 more death happens. You have to know all the documents are in French.

Roger Harpin
Agent d'affaire
Business Representative
Local 89
U.I.C.A - I.U.E.C

From the State of Indiana

Bill,

I am sorry to hear that you are facing what the state of Indiana has put up with for years. We have no residential inspections nor do you need to be licensed to install Vertical lifts. We have tried to combat this issue and it finally seems we are making some head way.

I cannot tell you how many shoddy and unsafe installations we have come across over the years from safeties not working to units rubbing walls as they travel, units running with doors and gates open. Etc.

Doug Schroeder

Points of interest

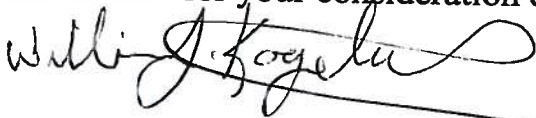
Allowing the manufacturer to determine qualification of installing units makes as much sense as allowing the manufacturer of a surgical tool to qualify a person to do surgeries! There must be a licensed electrician doing electrical work so no one gets electrocuted, a licensed plumber so no one gets wet, but anyone can install a lift with this proposal that can injure, or kill this just doesn't make good sense!

Elevator companies are insured at great expense. Are the builders that you proposed to be allowed to install going to be required to carry the same type of insurance? Has anyone looked into what the cost of homeowners insurance will be with an installation of a Stair climber installed by a home builder instead of a Licensed Elevator contractor, without any inspection to protect the home owner and the people in the house?

When the home is completed and the builder has moved on who will protect the home owner and provide for their needs in providing a safe unit for the family and people visiting the residence?

In this Bill the most qualified companies will have to pay all fees and licenses while the least qualified will pay nothing. I think Michigan is moving in the wrong direction and a little common sense should be very apparent, please consider safety for the residence of the state Michigan!

Thank You for your consideration on this matter,



William Kogelschatz
IUEC Local 85
Business Agent
office: 517-882-0100
Cell: 517-719-3616
E-Mail bill@iuec85.org
Website: www.iuec85.org